

REMARKS

This communication is in response to the non-final Office Action dated December 16, 2003. The Examiner rejected claims 1-16 under the judicially created doctrine of obviousness-type double patenting based on various claims of U.S. Patent Nos. 6,658,371 to Boehm et al. (Boehm '371), 6,611,792 to Boehm (Boehm '792), 6,490,542 to Boehm (Boehm '542), 6,385,559 to Boehm (Boehm '559), and 6,192,323 to Boehm (Boehm '323).

Attorney Docket Number

The Applicant respectfully requests that the attorney docket number be updated from "20002.0266A" to -- 20002.0325 --.

Information Disclosure Statement

On October 6, 2003, the Applicant submitted an Information Disclosure Statement (IDS) and Form PTO-1449 disclosing seventeen references. It is noted that the Examiner did not indicate that the IDS was received or provide an initialed copy of the Form PTO-1449. For the Examiner's convenience, copies of the IDS, the Form PTO-1449, and the stamped postcard indicating that these documents were received by the U.S. Patent and Trademark Office on October 6, 2003 are included with this Response. The Applicant respectfully requests that the Examiner review the cited references and provide an initialed copy of the Form PTO-1449.

Applicant-Initiated Amendments

The Applicant has amended the written description to indicate that the parent application has issued as U.S. Patent No. 6,611,792.

Claim Rejections Under Double Patenting

In sections 1-2 of the Office Action, the Examiner rejected claims 1-16 under the judicially created doctrine of obviousness-type double patenting based on various claims of Boehm '371, Boehm '792, Boehm '542, Boehm '559, and Boehm '323.

The Applicant includes with this Response a Terminal Disclaimer, in view of which the Examiner's double patenting rejections are believed to be overcome.

In view of the foregoing, the Examiner's rejections under the judicially created doctrine of obviousness-type double patenting of claims 1-16 are believed to be overcome.

Additional Fees


The Commissioner is hereby authorized to charge any insufficiency or credit any overpayment associated with this application to Swidler Berlin Shereff Friedman, LLP Deposit Account No. 19-5127 (order no. 20002.0325).

Conclusion

Claims 1-16 are pending in the application, and are believed to be in condition for allowance. In view of the foregoing, all of the Examiner's rejections of the claims are believed to be overcome. The Applicant respectfully requests reconsideration and issuance of a Notice of Allowance for all claims. Should the Examiner feel further communication would

help prosecution, the Examiner is urged to call the undersigned at the telephone number provided below.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Sean P. O'Hanlon", with a stylized flourish at the end.

Sean P. O'Hanlon

Reg. No. 47,252

Dated: March 3, 2004

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